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8 *FF&E Refinishing, LLC and Robert Mario Insenga*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 BOARD OF TRUSTEES OF THE PAINTERS
AND FLOORCOVERERS JOINT
12 COMMITTEE; BOARD OF TRUSTEES OF
THE EMPLOYEE PAINTERS' TRUST;
13 BOARD OF TRUSTEES OF THE PAINTERS,
GLAZIERS AND FLOORCOVERERS JOINT
14 APPRENTICESHIP AND JOURNEYMAN
TRAINING TRUST; BOARD OF TRUSTEES
15 OF THE PAINTERS, GLAZIERS AND
FLOORCOVERERS SAFETY TRAINING
16 TRUST FUND; BOARD OF TRUSTEES OF
THE SOUTHERN NEVADA PAINTERS AND
17 DECORATORS AND GLAZIERS LABOR-
MANAGEMENT COOPERATION
18 COMMITTEE TRUST; BOARD OF
TRUSTEES OF THE SOUTHERN NEVADA
19 GLAZIERS AND FABRICATORS PENSION
TRUST FUND; PDCA/FCA INDUSTRY
20 PROMOTION FUND; PAINTERS
ORGANIZING FUND; BOARD OF
21 TRUSTEES OF THE SOUTHERN NEVADA
PAINTERS AND GLAZIERS MARKET
22 RECOVERY TRUST FUND; BOARD OF
TRUSTEES OF THE INTERNATIONAL
23 PAINTERS AND ALLIED TRADES
INDUSTRY PENSION FUND; BOARD OF
24 TRUSTEES OF THE FINISHING TRADES
INSTITUTE; PAINTERS AND ALLIED
25 TRADES LABOR-MANAGEMENT
COOPERATION INITIATIVE; and
26 INTERNATIONAL UNION OF PAINTERS
AND ALLIED TRADES DISTRICT COUNCIL
16,

27 Plaintiffs,

28 v.

CASE NO.: 2:19-CV-02056-JCM-BNW

**STIPULATION AND ORDER FOR
DISMISSAL OF THE COMPLAINT
WITH PREJUDICE**

FF&E REFINISHING NV, LLC, a Nevada limited-liability company; FF&E REFINISHING, LLC, a Georgia limited-liability company; ROBERT MARIO INSENGA, an individual; ARIA RESORT & CASINO HOLDINGS, LLC, a Nevada limited-liability company; ARIA RESORT & CASINO, LLC, a Nevada limited-liability company; MARKEL SURETY HOLDING CORPORATION, a Delaware corporation a/k/a MARKEL SURETY d/b/a SURETEC INSURANCE COMPANY d/b/a SURETEC INDEMNITY COMPANY; JOHN DOES I-XX, inclusive; and ROE ENTITIES I-XX, inclusive,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs BOARD OF TRUSTEES OF THE PAINTERS AND FLOORCOVERERS JOINT COMMITTEE; BOARD OF TRUSTEES OF THE EMPLOYEE PAINTERS' TRUST; BOARD OF TRUSTEES OF THE PAINTERS, GLAZIERS AND FLOORCOVERERS JOINT APPRENTICESHIP AND JOURNEYMAN TRAINING TRUST; BOARD OF TRUSTEES OF THE PAINTERS, GLAZIERS AND FLOORCOVERERS SAFETY TRAINING TRUST FUND; BOARD OF TRUSTEES OF THE SOUTHERN NEVADA PAINTERS AND DECORATORS AND GLAZIERS LABOR-MANAGEMENT COOPERATION COMMITTEE TRUST; BOARD OF TRUSTEES OF THE SOUTHERN NEVADA GLAZIERS AND FABRICATORS PENSION TRUST FUND; PDCA/FCA INDUSTRY PROMOTION FUND; PAINTERS ORGANIZING FUND; BOARD OF TRUSTEES OF THE SOUTHERN NEVADA PAINTERS AND GLAZIERS MARKET RECOVERY TRUST FUND; BOARD OF TRUSTEES OF THE INTERNATIONAL PAINTERS AND ALLIED TRADES INDUSTRY PENSION FUND; BOARD OF TRUSTEES OF THE FINISHING TRADES INSTITUTE; PAINTERS AND ALLIED TRADES LABOR-MANAGEMENT COOPERATION INITIATIVE; and INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES DISTRICT COUNCIL 16, (collectively, "Plaintiffs"), by and through their attorneys of record, Christensen, James & Martin, Chtd., Defendants FF&E REFINISHING NV, LLC, FF&E REFINISHING, LLC and ROBERT MARIO INSENGA, by and through their attorneys

of record, Litchfield Cavo LLP, Defendants ARIA RESORT & CASINO HOLDINGS, LLC and ARIA RESORT & CASINO, LLC, by and through their attorney of record, Kelly R. Kichline, Esq. of MGM Resorts International, and Defendant MARKEL SURETY HOLDING CORPORATION aka MARKEL SURETY dba SURETEC INSURANCE COMPANY and SURETEC INDEMNITY COMPANY (collectively, "Defendants"), pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that the First Amended Complaint filed by Plaintiffs in this case and each and every cause of action therein, shall be dismissed with prejudice, with each party to bear its own attorney's fees and costs.

Dated: October 7, 2020

LITCHFIELD CAVO LLP

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 LLC, FF&E Refinishing, LLC and Robert Mario
 Insenga

Dated: October 30, 2020

CHRISTENSEN JAMES & MARTIN, CHTD.

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 Painters & Floorcoverers Joint Committee, et al.

Dated: October 5, 2020

MGM RESORTS INTERNATIONAL

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 Attorneys for Defendant Aria Resort & Casino
 LLC

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1 Dated: October 9, 2020

LAW OFFICES OF DAVID R. JOHNSON, PLLC

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11 *Corporation aka Markel Surety dba Suretec*

12 *Insurance Company and Suretec Indemnity*

13 *Company*

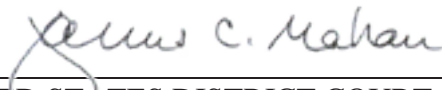
14 **ORDER**

15 Based upon the Stipulation of the parties, the Court having reviewed all pleadings and papers
16 on file herein and good cause appearing:

17 **IT IS HEREBY ORDERED** that that the First Amended Complaint filed by Plaintiffs, and
18 each and every cause of action therein, shall be dismissed with prejudice. Plaintiffs and Defendants
19 will each bear their own fees and costs.

20 **IT IS SO ORDERED.**

21 DATED November 6, 2020.

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23 _____
24 UNITED STATES DISTRICT COURT JUDGE
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